

# **Exhibit 8**

**FILED: SUFFOLK COUNTY CLERK 08/07/2019 04:37 PM**

NYSCEF DOC. NO. 103

Index No: 66751/14 RECEIVED NYSCEF: 08/07/2019

**SUPREME COURT OF THE STATE OF NEW YORK  
IAS/ TRIAL PART 34- SUFFOLK COUNTY**

**PRESENT:**

**HON. JOSEPH C. PASTORESSA**  
JUSTICE OF THE SUPREME COURT

U.S. BANK, NA, AS LEGAL TITLE TRUSTEE  
FOR TRUMAN 2013 SC4 TITLE TRUST,

Mot Seq: #006-MG; CASE DISP

**ATTYS FOR PLAINTIFF(S):**  
GROSS POLOWY  
1775 WEHRLE DRIVE  
WILLIAMSVILLE, NY 14221

**DEFENDANT PRO SE:**  
GEORGIA CANDEMERS  
PO BOX 546  
NEW YORK, NY 10014

GEORGIA CANDEMERS a/k/a GEORGIA  
CANDEMERS-OTERO, ADMINISTRATOR OF  
THE SMALL BUSINESS ADMINISTRATION,  
AN AGENCY OF THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA, STEVE  
CAPIELLO, NICHOLAS CARUSILLO,  
ANTHONY CARUSILLO, DEBBIE CARUSILLO,

Defendant(s).

X

**Pages Numbered**

Notice of Motion/Order to Show Cause/	1
Petition/Cross Motion and Affidavits (Affirmations) Annexed	2
Opposing Affidavits (Affirmations)	2
Reply Affidavits (Affirmations)	
Affidavit (Affirmation)	
Other Papers	

Upon the foregoing papers, it is

**ORDERED** that the motion by the plaintiff for a judgment of foreclosure and sale in its favor is granted.

In this mortgage foreclosure action, the defendant Georgia Candemers appeared in the action through counsel and served an answer to the complaint. By order dated January 29, 2018, this Court granted the plaintiff's motion for summary judgment and denied the defendant's cross-motion to dismiss. The plaintiff now moves for a judgment of foreclosure and sale. The defendant submits opposition but has failed to demonstrate any grounds upon which to deny the motion. The defendant failed to make a showing that the plaintiff engaged in the type of fraud or misconduct that would warrant vacating the prior order granting summary judgment (see *Citimortgage v Brown*, 111 AD3d 593; *Citimortgage v Bustamante*, 107 AD3d 752; *US Bank v Allen*, 102 AD3d 955). Accordingly, the motion is granted.

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Judgment signed herewith.

**DATED: July 31, 2019**

  
**HON. JOSEPH C. PASTORELLA, J.S.C.**

H:Foreclosure\US Bank v Candemers-Otero